



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce C. Monk Date: June 16, 2005  
Serial No.: 09/994,399  
Filed: November 26, 2001 Group Art Unit: 2625  
Title: Validation And Verification Examiner: Aaron W. Carter  
Apparatus And Method

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

### STATEMENT OF ATTORNEY, JOSEPH FUNK

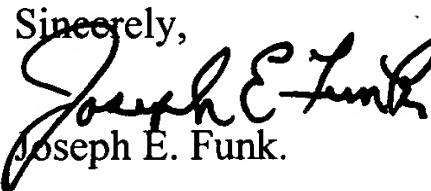
I am the attorney who wrote and was prosecuting the above identified patent application. On August 5, 2004 I filed a response to final office action and a request for continued prosecution. I awaited for a reply but heard nothing until I received a Notice of Abandonment dated April 19, 2005.

In my regular course of business of my office I have my secretary maintain a log of mail and fax documents sent and received as part of office operations. The day that documents are received they are entered into the mail log and the day that documents are sent they are entered into the mail log. A copy of the mail log for 2004 is attached to a separate Statement made by my secretary who maintains the mail log.

The above mentioned response to final office action and request for continued prosecution was made on August 5, 2004 via Express mail and this entry is seen in the log. I have no other records of other documents being received from the patent office concerning this patent application between August and December 2004.

A search by my office secretary of the mail log, the office files of the assignee AssureTec Systems Inc. and the inventors yielded nothing.

My secretary's Statement relates another incident we had this past year of the post office placing a box key belonging to someone else in my business PO box 661 (box of record in the PTO files). Every now and then pieces of mail belonging to other parties have also been mis-delivered to me.

Sincerely,  
  
Joseph E. Funk.



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### STATEMENT OF OFFICE SECRETARY, GLORIA FUNK

In the regular course of attending to clerical matters in the law office of Joseph Funk I maintain a log of mail and fax documents sent and received as a standard part of office operations. The day that documents are received they are entered into the mail log and the day that documents are sent they are entered into the mail log. A true printout of the log for 2004 is attached to this Statement.

Referencing the above identified patent application and the 2004 log, the applicant filed a request for continued examination on August 5, 2004 via Express mail and several days later I received back the return postcard stamped August 5, 2004. These entries are seen in the log. We have no other records of other documents being received from the patent office between August and December 2004.

Nothing more was heard from the patent office until mid April 2005 when A Notice of Abandonment was received dated April 19, 2005.

I informed Joseph Funk of the Notice of Abandonment. After a search by me of the mail log and the office files of the assignee AssureTec Systems Inc. and the inventors nothing else was found.

We had another incident last year in which wrong mail was placed in Mr. Funk business PO box 661. One day a small card was in the box with a key taped thereto with a note that the key had been found on the floor in the lobby. The problem is that the key was for box 660 - an error. I attach a picture of that card with key which I made.

Sincerely,

Gloria M. Funk.

**2004 MAIL LOG**

Joseph E. Funk

<u>Date Sent/Rcvd</u>	<u>Item</u>	<u>File Date</u>	<u>Inventor</u>
01/29/04 exp mailed	response to 2nd office action + 2 mos ext	11/26/2001 Monk ATS1	Validation & Verification App. & Method

<u>Date Sent/Rcvd</u>	<u>Item</u>	<u>Ser. No.</u>	<u>File Date</u>	<u>Inventor</u>
02/04/04 exp mailed	new patent application	...	Heinz 1	Disposable plate system
02/05/04 rcvd	official filing rcpt for prov dated 2/2/04	60/533021	12/27/2003 O'Connor 1	Horticultural shipper
02/06/04 rcvd	return postcard for response to OA2	09/994399	11/26/2001 Monk ATS1	Validation & Verification App. & Method
02/09/04 rcvd	return postcard for new appn	10/771531	2/4/2004 Heinz 1	disposable plate system
02/16/04 rcvd	office action - 2/13/04	10/324668	12/20/2002 Arsenault 2	Calculus Dissolving Gel
02/26/04 rcvd	office action dated 2/23/04	10/460964	6/16/2003 Waszak 2	Apparatus for fastening items on mantel
02/26/04 rcvd	office action - 2/23/04	10/295561	11/15/2002 Sullivan 1	Ornamental article
03/04/04 faxed	response to office action dated 2/13/04	10/324668	12/20/2002 Arsenault 2	Calculus Dissolving Gel
03/07/04 rcvd	PCT notice re payment of fees	PCT/US03/41085	12/20/2003 Arsenault 2	Calculus Dissolving Gel
03/10/04 rcvd	Notice of Allowance	10/279150	10/23/2002 Tuttle ATS3	App&Method for Doc. Reading & Authen
03/16/04 mailed	response to office action	10/295561	11/15/2002 Sullivan 1	Ornamental article
03/22/04 rcvd	return postcard for response dated 3/16/04	10/295561	11/15/2002 Sullivan 1	Ornamental article
03/10/04 reg mailed	Fee transmittal & check for \$965	10/279150	10/23/2002 Tuttle ATS3	App&Method for Doc. Reading & Authen
03/25/04 rcvd	Advisory action	10/203613	8/29/2002 Childs 2	Method for Processing Biosolid Waste
04/16/2004 exp mailed	response to office action of 2/23/04	10/460964	6/16/2003 Waszak 2	Apparatus for fastening items on mantel
04/19/04 rcvd	Notice of publication	10/295561	11/15/2002 Sullivan 1	Ornamental article
04/19/04 exp mailed	request for continued examination	10/203613	8/29/2002 Childs 2	Method for Processing biosolid waste
04/22/04 exp mailed	new patent application	...	McCue 1	Adjustable Hinge
04/23/04 rcvd	return postcard for OA	10/460964	6/16/2003 Waszak 2	Apparatus for fastening items on mantel
04/23/04 rcvd	return postcard for RCE	10/203613	8/29/2002 Childs 2	Method for Processing Biosolid Waste
04/26/04 rcvd	return postcard for new appn	10/828589	4/22/2004 McCue 1	Adjustable Hinge
05/08/04 rcvd	final office action	09/994399	11/26/2001 Monk ATS1	Validation & Verification App. & Method
05/08/04 mailed	Provisional patent appn	...	Clair 1	Decorative hanging plant support
05/10/04 rcvd	official filing receipt	10/771531	2/4/2004 Heinz 1	Disposable plate system
05/14/2004 rcvd	Office action dated 5/11/2004	10/430567	5/6/2003 LaMalfa 2	Sports Memorabilia
05/14/2004 rcvd	Office action dated 5/12/2004	10/290824	11/8/2002 Waszak 1	Stackable modular containe
05/19/04 rcvd	Letter regarding election of species	10/324668	12/20/2002 Arsenault 2	Calculus Dissolving Gel
05/28/04 exp mailed	new patent application	...	Cote 1	Load Leveler
06/1/04 rcvd	return postcard stamped 5/28/04	10/856250	5/28/2004 Cote 1	Load Leveler
06/3/04 rcvd	official filing receipt (duplicate)	10/771531	2/4/2004 Heinz 1	Disposable plate system
6/5/04 rcvd	Office action dated 6/2/04	10/295561	11/15/2002 Sullivan 1	Ornamental article



06/10/04 exp mailed	new patent application action for election of species	10/268360 60/578327	Ebeed 1 10/10/2002 Chysna 1 6/10/2004 Clair1
06/12/04 rcvd	return postcard for Clair provisional appn	10/865705	6/10/2004 Ebeed 1 12/20/2002 Arsenault 2
06/14/04 rcvd	Response regarding restriction of species	10/324668	12/20/2002 Arsenault 2
06/14/04 exp mailed	Return postcard for species election	10/324668	Calculus Dissolving Gel
06/16/04 rcvd		10/324668	Calculus Dissolving Gel
07/07/04 rcvd	International search report	PCT/US03/41085	Calculus Dissolving Gel
07/07/04 rcvd	Official filing receipt dated 7/1/04	10/828,589	Adjustable hinge
07/17/04 rcvd	Copy of Xmtl of Appn to Designated Offices	PCT/US03/41085	Calculus Dissolving Gel
07/19/2004 exp mailed	Response to OA dated May 12, 2004	10/290824	Stackable modular container
07/19/2004 rcvd	Office action dated 7/27/04	10/460964	Apparatus for fastening items on mantel
07/24/04 rcvd	return postcard for office action	10/290824	Stackable modular container
07/29/04 rcvd	official filing receipt	10/856250	Load Leveler
08/05/04 exp mailed	OA response & request for cont. exam.	09/994399	Validation & Verification App. & Method
08/06/04 rcvd	official filing receipt	10/865705	Child's outerwear garment
08/10/04 exp mailed	response to office action of 5/11/04	10/430567	Sports Memorabilia
08/10/04 mailed	response to office action of 6/2/04	10/295561	Ornamental Article
08/05/04 rcvd	return postcard for final OA response	09/994399	Validation & Verification App. & Method
08/13/04 rcvd	return postcard - dated 08/10/04	10/430567	Sports Memorabilia
08/14/04 rcvd	official filing receipt for provisional	60/578327	Decorative hanging plant support
08/16/04 rcvd	return postcard - off. action respon	10/295561	Ornamental Article
09/04 faxed to PTO	response for election of species	10/268360	Wall mounted back scrubber
09/04 fax rcvd - PTO	Confirmation fax received to above	10/268360	Wall mounted back scrubber
09/13/04 rcvd	notice of allowance dated 9/9/04	10/295561	Ornamental Article
09/11/04 rcvd	letter regarding election of species	10/324668	Calculus Dissolving Gel
09/21/04 mailed	GreenValley Trademark appn filed	...	Mark - Maine Trellis Company
09/22/2004 rcvd	notification of unsigned response to OA	10/290824	Stackable modular container
09/25/05 rcvd	notice of fee deficiency 9/20/04	10/268360	Wall mounted back scrubber
09/27/04 faxed to PTO	signed copy of OA response	10/290824	Stackable modular container
09/27/04 fax rcvd PTO	Confirmation fax received to above	10/290824	Stackable modular container
09/27/04 rcvd	return postcard for TM appn	...	Mark - Maine Trellis Company
09/28/04 exp mailed	response to notice fee deficiency	10/268360	Wall mounted back scrubber
10/1/04 rcvd	office action dated 9/28/04	10/430567	Sports Memorabilia
10/12/04 faxed to PTO	Supplement to species restriction	10/268360	Wall mounted back scrubber
10/13/04 rcvd	office action dated 10/09/04	10/295561	Ornamental Article
10/14/04 mailed	Issue fee transmittal	10/295561	Ornamental Article

10/19/04 rcvd	office action dated 10/15/04 official filing receipt postcard 10/21/04 - for issue fee	10/268360 76/613481 10/295561	10/10/2002 Chysna 1 9/23/2004 Quint 1 11/15/2002 Sullivan 1	Wall mounted back scrubber Mark - Maine Trellis Company Ornamental Article
11/01/04 Exp mailed	New patent appn. return postcard First Office action New patent application New patent application	... 10/978885 10/387113 ... ...	... Shannon 1 11/1/2004 Shannon 1 3/12/2003 Moreau 1 Dodge 1 Shannon 2	Fastening Device 1 Fastening Device 1 Cargo Carrier For Vehicle Method for playing poker Fastening Device 2
11/11/04 Rcvd				
11/17/04 rcvd				
11/29/04 Exp mailed				
11/30/04 Exp mailed				
12/06/04 rcvd	return postcard Issue notification dated 12/2/04 notice of publication return postcard official filing receipt 12/09/04 Continuation application & Exp abandon Notice of abandonment dated 12/15/04 Official filing receipt 12/13/04	10/999041 10/295561 10/460,964 10/999428 60/629601 10/460,964 10/203613 10/978885	11/29/2004 Dodge 1 11/15/2002 Sullivan 1 6/16/2003 Waszak 2 11/30/2004 Shannon 2 11/22/2004 Leal et al 6/16/2003 Waszak 2 8/29/2002 Childs 2 11/1/2004 Shannon 1	Method for playing poker Ornamental Article Apparatus for fastening items on mantel Fastening Device 2 Radio Controlled Adjustable Pitchback Apparatus for fastening items on mantel Method for processing biosolid waste Fastening Device 1
12/07/04 rcvd				
12/07/04 rcvd				
12/09/04 Rcvd				
12/13/04 Rcvd				
12/16/04 exp mailed				
12/20/04 rcvd				
12/21/04 Rcvd				